

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Irineo Rodriguez

Docket No. 7:22-CR-24-1D

Petition for Action on Supervised Release

COMES NOW Corey Rich, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Irineo Rodriguez, who upon an earlier plea of guilty to Transportation of an Undocumented Alien, in violation of 8 U.S.C. §§ 1324(a)(1)(A)(ii), 1324(a)(1)(A)(v)(II), and 1324(a)(1)(B)(ii), was sentenced by the Honorable David S. Morales, United States District Judge in the Southern District of Texas, on September 1, 2020, to the custody of the Bureau of Prisons for a term of 12 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. Irineo Rodriguez was released from custody on May 3, 2021, at which time the term of supervised release commenced.

On December 29, 2021, it was reported to the Southern District of Texas that on November 26, 2021, the defendant submitted a urine sample that tested positive for marijuana. The Southern District of Texas asked that jurisdiction be transferred to the Eastern District of North Carolina, which was completed on January 24, 2022.

On March 10, 2022, it was reported to the Court that the defendant submitted a urine sample that tested positive for marijuana and methamphetamines. The court agreed to modify the conditions to include the drug aftercare program and continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 9, 2022, the defendant was charged with Driving While License Revoked Not Impaired, and Failure to Wear Seat Belt in Sampson County, North Carolina (22CR701459). When confronted, the defendant admitted to this criminal conduct.

On April 8, 2022, the defendant was charged with Assault on a Female in Sampson County, North Carolina (22CR50733). When confronted, the defendant denied his involvement in this criminal conduct.

On June 2, 2022, the defendant was charged with Resisting Public Officer in Sampson County, North Carolina (22CR51163). When confronted, the defendant admitted to this criminal conduct. On each occasion that the defendant had contact with law enforcement, he failed to notify his officer within 72 hours.

As a sanction for this conduct and to deter future violations, we would respectfully recommend that his supervision be modified to include 45 days of curfew. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 45 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Keith W. Lawrence
Keith W. Lawrence
Supervising U.S. Probation Officer

/s/ Corey Rich
Corey Rich
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2540
Executed On: June 16, 2022

ORDER OF THE COURT

Considered and ordered this 17 day of JUNE, 2022, and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
United States District Judge